THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 6257 of 2007

O R D E R: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed against the order dated 9.11.2006 passed by the A.P. Administrative Tribunal, Hyderabad in O.A. No. 6782 of 2006.

Heard the learned counsel for the parties and perused the material available on record.

The respondent herein filed O.A. No. 6782 of 2006 before the Tribunal seeking to quash the Proceedings No.Rc.T1/279/2003-2 dated 13.4.2003 as illegal and arbitrary. By the said proceedings the respondent was kept under suspension on the allegation of misuse of the official position for fraudulent drawing of the Government money and using it for personal purposes. The Tribunal, while admitting the O.A., directed as an interim measure to issue necessary orders of reinstatement of the respondent – applicant within a period of two weeks from the date of receipt of the order, subject to final result of the O.A.

It is contended by the learned Government Pleader for Services-II that the respondent herein has been suspended on the allegation of misappropriation of Government funds and misusing of official position by drawing the Government money and utilizing it for personal purpose and on account of grave irregularities and misappropriation of funds, disciplinary action was also initiated against the respondent herein and therefore the Tribunal erred in

passing the orders directing reinstatement of the respondent.

A perusal of the material available on record goes to show that the respondent – applicant was under suspension beyond the period of two years. As G.O.Ms.No. 86 General Administration (Services.C) Department dated 8.3.1994 puts an outer limit for suspension as two years and review of suspension for every six months and as the respondent – applicant has been kept under suspension beyond the period of two years but no review was taken up, the Tribunal, as an interim measure, ordered for reinstatement of the respondent – applicant, which is subject to final result of the O.A. Therefore, we do not find any error or infirmity in the order passed by the Tribunal warranting interference of this Court.

The writ petition fails and it is accordingly dismissed.

T. MEENA KUMARI, J.

G. CHANDRAIAH, J.

Date: 23-07-2007.

MVB.